

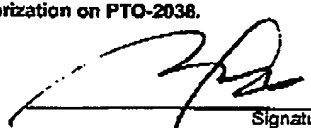
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PTO/SB/31 (04-05)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) NC84499
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>June 14, 2006</u> Signature <u>Deborah G. Blakley</u> Typed or printed name <u>Deborah G. Blakley</u>		In re Application of E. Willis Lacy et al. Application Number <u>10/677,649</u> Filed <u>Sept. 30, 2003</u> For <u>Ordnance Device for Launching Failure Prone...</u> Art Unit <u>3641</u> Examiner <u>M. R. (S.) Clement</u>
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.		
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>500.00</u>
☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____
☐ A check in the amount of the fee is enclosed.		
☐ Payment by credit card. Form PTO-2038 is attached.		
☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0967</u> . I have enclosed a duplicate copy of this sheet.		01 FC:1401 500.00 DA
☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the		
☐ applicant/inventor.		
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)		 Signature GERHARD W. THIELMAN Typed or printed name
☐ attorney or agent of record. Registration number _____		540-653-8061 Telephone number
☒ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>43,186</u>		<u>June 14, 2006</u> Date
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
☒ *Total of <u>1</u> forms are submitted.		

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : E. Willis Lacy *et al.* Group Art Unit : 3641
Serial No. : 10/677,649 Examiner : M. R. (S) Clement
Filed : September 30, 2003 Docket : Navy Case 84499
Title : ORDNANCE DEVICE FOR LAUNCHING FAILURE PRONE FRAGMENTS

Mail Stop: Board of Patent Appeals and Interferences
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**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES UNDER 37 CFR §41.31**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated March 20, 2006, the shortened statutory period for reply ending June 20, 2006.

- ☒ The Commissioner is hereby authorized to charge the \$500.00 Appeal fee to Deposit Account No. 50-0967.
- ☐ The \$500.00 Appeal fee is not required (fee paid in prior appeal in this application with no Board Decision on the merits).

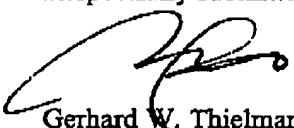
The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account No. 50-0967. Two duplicate copies of this document are enclosed.

CERTIFICATE OF TRANSMISSION / MAILING

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Date: 6/14/06 Name: Deborah G. Blakley
Deborah G. Blakley

Respectfully submitted,


Gerhard W. Thielman
Registration No. 43,186

Date: June 14, 2006

DEPARTMENT OF THE NAVY
Naval Surface Warfare Center – Dahlgren Division
Office of Counsel – Code XDC1
17320 Dahlgren Road
Dahlgren, Virginia 22448-5100
Telephone: (540) 653-8061 Customer No. 23501

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